
THE LAW OFFICES OF BELLO & MORTON, LLC

184 Main Street Wareham, Massachusetts 02571 · 508-295-2522

October 20, 2023

Wareham Zoning Board of Appeals
54 Maron Road
Wareham, MA 02571

Re: Variance Application for Thomas F. Daly and Susan E. Daly, Property Located at
4 Prospect Street, Onset, MA; Assessor's Map 3, Lots 195A, 196A, 197A, 198A

Dear Members of the Board of Appeals:

Please find enclosed the following information and exhibits:

1. Petitioners:

Thomas P. Daly
Susan F. Daly
65 Stanford Drive
Westwood, MA 02090

2. Record Owners:

Thomas P. Daly
Susan F. Daly
65 Stanford Drive
Westwood, MA 02090

3. Current Deed:

Plymouth County Registry of Deeds Book 11983, Page 120, Deed attached as
Exhibit A.

4. Building Inspector's Denial Letter:

Denial Letter attached here as Exhibit B from the Building Commissioner
referencing Two Variances from the Zoning Board of Appeal is necessary.

5. Certified Abutters List:

Copy Attached as Exhibit C.

6. Proposed Site Plan:

Copy Attached as Exhibit D.

7. Letters in Support of Petition:

Copies Attached as Exhibit E.

Dear Mr. Chairman:

We are seeking two Variances here. One being that the proposed demolition of the cottage as a second principal residence. The project is located in the MR-30 district of Onset Village.

Mr. and Mrs. Daly use the cottage seasonally and the other single family home for their children and grandchildren. These lots merged into two due to the Merger doctrine. The Daly's wish to raze the cottage and to build their forever home. The shape of this lot is unique in that it is very long and narrow and has frontage on Andrews Street and Prospect Street and abuts a portion of Gray Street which was never constructed. There were in fact three lots created in the original subdivision which my clients own. Due to the narrow shape of the lot – this build would make it more conforming with the original nature of the subdivision two structures on their appropriate lots. The new build is confirming with the setbacks in this district, meets height requirements, and will be a great addition to the neighborhood. The lot itself as access on either side as well so it will not increase traffic on prospect as the new build would have access from Andrews Street.

There is also a need for a Variance for the Floor Area Ratio for this project. The MR- 30 district allows for 17% coverage and the new build will increase that to 26.7%. The increase is minimal considering the surrounding properties some with FAR over 60%. In Onset, there has been many other cases whereas the Board as allowed the increase in FAR. Particularly FAR is a

bylaw which aims to reduce density- here there is already an existing cottage so this would not be increasing the density of occupants. The increase is due to the nature and design of the home being big enough to have a full kitchen, bathroom, and adequate bedroom sizes. This Variance will not derogate from the intention of the Wareham Zoning Bylaws FAR section which aims to reduce density.

The neighbors are in support of this modest ask and all things considered we urge the Board to review the information provided to allow the granting of these two Variances.

Respectfully submitted by attorney of the
Applicants,

A handwritten signature in black ink, consisting of a large, stylized initial 'J' followed by a long horizontal line extending to the right.

JILLIAN A. MORTON, ESQ.

508-295-2522

TOWN OF WAREHAM
ZONING BOARD OF APPEALS

APPLICATION FOR A PUBLIC HEARING FOR A VARIANCE/SPECIAL PERMIT

Certain uses are allowed in several zoning districts only by means of a Variance and/or Special Permit from the Zoning Board of Appeals. Those uses are indicated in the Wareham Zoning By-Laws. To apply for a Variance/Special Permit from the Zoning Board of Appeals, please do the following:

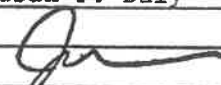
- o Complete this form.
- o Complete information packets. (Directions attached)
- o Submit application form and packet to Town Clerk for signature.
- o Submit application form and packet to Town Collector for signature.
- o Submit completed form, packets, and appropriate fees** to the Zoning Board of Appeals secretary.

**Permits may be issued only after a public hearing. There is a filing fee of \$300.00 per lot, per application for all non-conforming residential lots, whether built upon or not. There is a filing fee of \$750.00 per lot, per application for all commercial applications. In the case of a multi-family development, the fee is \$300.00 plus an additional \$50.00 for every unit over two (2). Please make check payable to the Town of Wareham.

**A check to cover two (2) legal advertisements for the public hearing should be made payable to Wareham Week in the amount of \$100.00.

**The applicant will also be responsible for the costs of sending out abutter notifications by Certified Mail. The cost is \$6.90 per certified letter to each abutter. Please see Zoning Board secretary for cost of mailings. Please make check payable to the Town of Wareham.

I hereby apply for a Variance/Special Permit for a use to be made of the following described place:

STREET & NUMBER: 4 Prospect St., Onset LOT: 195A, 196A, 197A, 198A MAP: 3
ZONING DISTRICT: MR-30
USE REQUESTED: Residential Single Family
OWNER OF LAND & BUILDING: Thomas P & Susan F. Daly TEL.# _____
ADDRESS OF OWNER: 65 Stanford Drive, Westwood, MA 02090
PERSON(S) WHO WILL UTILIZE PERMIT: Thomas P. & Susan F. Daly
ADDRESS: 65 Stanford Drive, Westwood, MA 02090
DATE: 10/19/23 SIGNATURE: 

This application was received on the date stamped here:

WAREHAM TOWN CLERK
2023 NOV 15 AM 9:38

Town Clerk: _____ Date: _____
Tax Collector: Chick Date: 11-15-23
Planning/Zoning Dept.: Sonia Raposo Date: 11.15.23
Application fee paid: 300.00 Check #: 5231 Receipt: _____
Advertising fee paid: 150.00 Check #: 5233 Receipt: _____
Abutters fee paid: 519.90 Check #: 5232 Receipt: _____

TOWN OF WAREHAM

APPLICANT/CONTRACTOR/REPRESENTATIVE INFORMATION SHEET

Check One: Variance Special Permit Site Plan Appeal

Date stamped in: _____ Date decision is due _____

Applicant's Name: Thomas P. Daly and Susan F. Daly

Applicant's Address: Attorney Jilian Morton, 184 Main Street, Wareham, MA 02751

Telephone Number: 508-295-2522

Cell Phone Number: N/A

Email Address: jam@mortonlawllc.com

Address of Property/Project: 4 Prospect Street, Onset, MA

Landowner's Name: Thomas P. Daly and Susan F. Daly

Owner's Address: 65 Stanford Drive, Westwood, MA 02090

Telephone Number: N/A

Contact Person: Jilian Morton, Esq. Telephone Number: 508-295-2522

Map 3 ^{195A, 196A}
Lots 197A, 198A Zone MR-30

Date Approved _____ Date Denied _____

Comments: _____

EXHIBIT A

QUITCLAIM DEED

We, Richard Depietri and Norma Depietri, husband and wife, as tenants by the entirety, of 12 Victory Street, Framingham, Massachusetts, as tenants by the entirety ("Grantors") for consideration paid and in full consideration in the sum of EIGHTY-FIVE THOUSAND DOLLARS (\$85,000.00), grant to Thomas F. Daly and Susan E. Daly, husband and wife, as tenants by the entirety, of 65 Stanford Drive, Westwood, Massachusetts ("Grantees"), with QUITCLAIM COVENANTS, the land with the buildings thereon situated in that part of Wareham, Plymouth County, Massachusetts, known as Nanumet Heights, and being the northerly halves of Lots 197 and 198 as shown on a plan entitled, "Plan of Lands of Nanumet Heights, Onset, Mass.," dated April 1922, by Allen S. Beale, C.E., which plan is duly recorded with Plymouth County Registry of Deeds in Plan Book 3, Page 312, and bounded and described as follows:

Beginning at a bound at the corner of Union and Prospect Streets; thence running South 54 degrees East, 98 feet, by Union Street to a bound and Lot 196 as shown on said plan;

thence turning and running South 36 degrees West by Lot 196, 37.5 feet to a bound;

thence turning and running North 54 degrees West across said Lots 197 and 198, 95 feet to Prospect Street;

thence turning and running North 31 degrees 30' East by the line of Prospect Street, 37.615 feet to the bound first mentioned and the point of beginning.

Union Street hereinabove mentioned is now known as Gray Street.

The above described premises are conveyed subject to and with the benefit of all such other rights, rights of way, easements, appurtenances, reservations and restrictions of record if there be any now in force and applicable.

TITLE REFERENCE: See deed to Grantors from Fred T. Mather, Sr. and Violet M. Mather dated May 29, 1973 and recorded in the Plymouth County Registry of Deeds, Book 3894, Page 473

LOCUS: Now 4 Prospect Street, Onset, Plymouth County, Massachusetts.

4 Prospect Street, Onset, MA

Bulman, Connolly; Tierney
1147 Hancock Street
Quincy MA 02169

Received & Recorded
PLYMOUTH COUNTY
REGISTRY OF DEEDS
25 JUN 1993 04:00PM
JOHN D. RIORDAN
REGISTER

BK 11983PG121

WITNESS our hands and seals as of this 25th day of June, 1993.

Richard Depietri
RICHARD DEPIETRI

Norma D. Depietri
NORMA D. DEPIETRI

THE COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss

June 25, 1993

Then personally appeared the above-named RICHARD DEPIETRI and NORMA D. DEPIETRI and acknowledged the foregoing instrument to be their free act and deed before me.

Martin F. Connelly
Notary Public MARTIN F. CONNELLY
My Commission Expires: 8/26/94
Affix Notarial Seal

CANCELLED

NEEDS REG 18
PLYMOUTH
06/25/93

TAX 387.60
CHCK 387.60
3234A000 16:05
EXCISE TAX

(Depietri, Dee)

← END OF INSTRUMENT →

EXHIBIT B



TOWN of WAREHAM

Massachusetts

BUILDING DEPARTMENT

Paul Turner
Director of Inspectional Services

October 11, 2023

Attorney Jilian Morton
184 Main Street
Wareham, Massachusetts 02571

RE: 4 Prospect Street/ Map 3, Lot's 195A, 196A, 197A, 198A,

Attorney Morton,

I have reviewed your Building Permit application B-23-560, submitted September 12, 2023 to demolish an existing 343 square foot, one story cottage and to construct a 1497 square foot, three story second principle building located at 4 Prospect Street, Wareham, Massachusetts. At this time I must deny your request.

Your application is being denied under the following sections of the Wareham Zoning By-Laws:

Article 6: Density and Dimensional Regulations:

613 One Principle Residential Building per Lot;

In all districts, not more than one principal residential building with accessory structures having a residential use allowed in the respective district shall be erected, placed or **converted** on any lot, except where multiple family dwellings, apartments or condominiums are allowed by Special Permit, the Special Permit may provide for more than one principle building.

628 Existing Small Lots;

Category 3, lawfully existing Lots in Residential Districts, **FAR** (max, by percentage): **17%**

Attorney Morton, your application states that you are proposing to demolishing an existing cottage and replacing it with a second principle building on site. The Town of Wareham By-Laws does not define a cottage but does state that terms and words not defined herein but defined in the State Building Code or Subdivision Regulations shall have the meanings given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in Webster's Unabridged Dictionary, Third Edition.

The definition of a cottage according to Webster's Unabridged Dictionary is a small house, especially one in the country. The definition of a house is a residential building occupied by one or more families. The Town of Wareham Zoning By-Laws define a dwelling unit as one or more sleeping rooms arranged for the use of one or more individuals living as a single housekeeping unit with cooking, living, sanitary, and sleeping facilities. The By-Laws further defines a seasonal dwelling unit as a dwelling unit that cannot be occupied on a year-round basis without alteration(s) being made requiring a permit from the Building

Department. The structure that you refer to as a cottage in my determination does not even qualify as a seasonal dwelling unit due to the fact that there is not living (heat source) and cooking facilities. This structure is an accessory building to the existing principle structure.

The proposed structure will increase the Floor Area Ratio of the site to 26.7 percent from the existing ratio of 15.6 percent. The allowed ratio is 17.0 percent.

1360 Alteration or Extension of Other Structures

1361 A lawfully pre-existing nonconforming structure, other than a single or two family residential structure may be altered or extended provided that:

4. Any proposed change that adds a new nonconformity or aggravates/or intensifies an existing nonconformity will require a **Variance** from the Zoning Board of Appeals.

The proposed demolition of an accessory building and rebuilding it as a second principle residential building on the same lot will require a **Variance**. The increase in Floor Area Ratio will also require a **Variance**. Therefore two **Variances** must be secured from the Zoning Board of Appeals in order to proceed with your application.

If you plan to appeal my decision, you must bring this letter to the Zoning Board of Appeals office and apply for a hearing where you will request the necessary relief as mentioned above. If you are successful, you will be required to wait twenty (20) days for the statutory appeal period to lapse; you will then need to record the Zoning Boards decision with the Plymouth County Registry of Deeds; then apply for a **new building permit** to construct and perform the work in accordance with the zoning approval. The existing building permit application has been denied and will not be reopened.

The subject dwelling is located in **MR-30** zoning district.

Respectfully,



Paul E Turner
Building Commissioner
Zoning Enforcement Officer

It is the owners' responsibility to check with other departments to ensure full compliance.

In accordance with the provisions of MGL chapter 40A §§ 15, you may apply to the Zoning Board of Appeals for the above noted relief within thirty (30) days of receipt of this letter.

EXHIBIT C

TOWN OF WAREHAM ABUTTERS
 MAP 3 LOT 197/A
 OWNERS THOMAS F + SUSAN E DALY

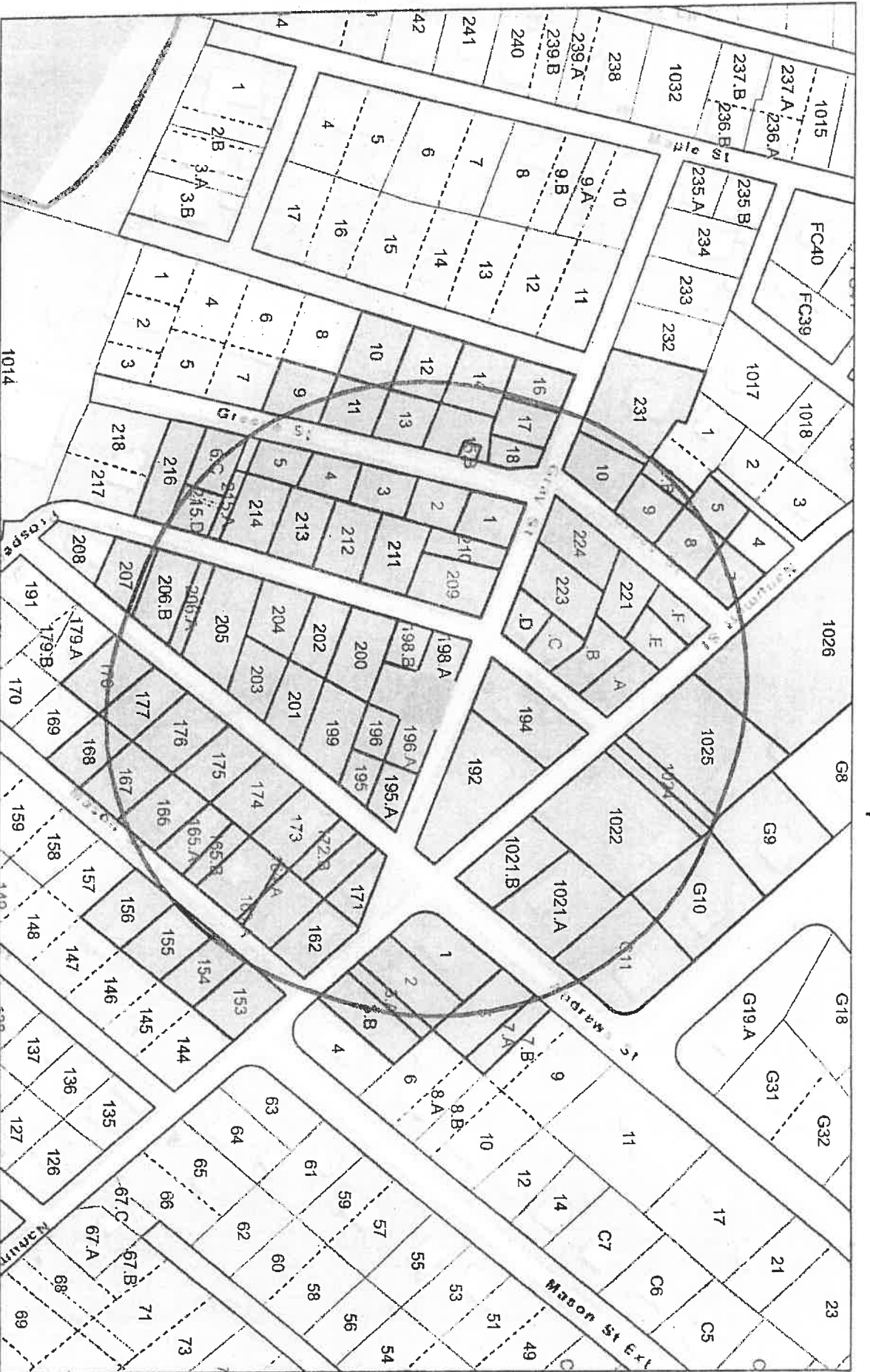
MAP & LOT	OWNERS	STREET ADDRESS	TOWN & STATE	ZIP CODE
3A-2-10	SHM ONSET BAY LLC	14785 PRESTON RD STE 795	DALLAS, TX	75254
3-0-210	SPROUT WARREN, JOHANNIS SUSAN	13 GRAY ST	BUZZARDS BAY, MA	02532
3A-3-2	MANDELLA MICHAEL, MANDELLA LINDA	4 GREEN ST	BUZZARDS BAY, MA	02532
3A-3-215.D	SMITH CHRISTINE B,	19 PROSPECT ST,	BUZZARDS BAY, MA	02532
3A-3-3	PAQUET VICTOR, PAQUET TOBY	43 HOWARD AVE	WILLIAMSVILLE, NY	14221
3A-3-4	SMITH SHAWN V, SMITH LISA	1 SMELT POND RD	KINGSTON, MA	02364
3A-3-5	CONDINHO CRAIG,	PO BOX 534,	MARSTONS MILLS, MA	02648
3A-3-6.C	HEMSLEY-GAKIDIS REBECCA,	12 GREEN ST,	BUZZARDS BAY, MA	02532
3A-4-1	VERRIER JOHN J JR, DONNA M TRUSTEES J.K. VERRIER LIVING TR	28 NANUMETT ST	BUZZARDS BAY, MA	02532
3A-4-2	TOWER KATIE R,	30 NANUMETT ST,	BUZZARDS BAY, MA	02532
3A-4-3.B	AZIZ STEPHEN G, AZIZ JEAN	70 BOATWRIGHTS LOOP,	PLYMOUTH, MA	02360
3B-1-10	TRUSCOTT KAREN	14 OVERY DR	FALMOUTH, MA	02556
3B-1-4	TOLSON KENNETH W, TOLSON KIMBERLY L	1 CROSS ST,	BUZZARDS BAY, MA	02532
3B-1-6.B	MURPHY VERE E TRUSTEE, VERE E MURPHY 2016 LIVING TRUST	PO BOX 2215,	ORLEANS, MA	02653
3B-1-8	YOUNG CAROL J, ROBERT I TRS & C & R YOUNG TRUST	18 COTTAGE COVE	PLYMOUTH, MA	02360
3B-2-A	MULLIGAN MARY ANN, CARITO FRANCIS J	23 FALMOUTH RD,	WATERTOWN, MA	02472
3B-2-B	DUPUIS GREGORY, DUPUIS MAUREEN	23 EAST ST,	STAFFORD SPRINGS, CT	06076
3B-2-C	PAGEAU TERRANCE L, PAGEAU MARILYN A	18 GERALD AVE,	RANDOLPH, MA	02368
3B-2-D	ROSSI MARILYN L,	7 PROSPECT ST,	BUZZARDS BAY, MA	02532
3B-2-E	SALERNO HANNAH M	17 NANUMETT ST,	BUZZARDS BAY, MA	02532
3B-2-F	HABERSAAT THOMAS W, HABERSAAT PATRICIA F	17601 PRAIRIE VERBENA LN,	ELGIN, TX	78621
3-0-1021.B	GOODELL DOUGLAS, GOODELL MELISSA	26 NANUMETT ST,	BUZZARDS BAY, MA	02532
3-0-1022	ENDERS SHANNON	4875 BUYEA RD	CAZENOVIA, NY	13095
3-0-1024	ATKINS GERALD P SR	PO BOX 544	SAGAMORE BEACH, MA	02562
3-0-144	TOCCI RAYMOND M, TOCCI KATHY L TRUSTEES	65 ORCHARD ST,	MILLIS, MA	02054
3-0-162	BRANDT JOHN M, PETERSON SHARON L TRUSTEES	PO BOX 61,	MANSFIELD, MA	02048
3-0-164.B	GULLA CRAIG S, GULLA ADRIENNE M	5 MASON ST,	BUZZARDS BAY, MA	02532
3-0-166	RUGGIERO MATTHEW B, RUGGIERO KRISTEN T TRUSTEES	7 EAST MAIN ST,	MIDDLEBORO, MA	02346
3-0-167	CHAVES JOSE B, CHAVES MARIA B TRUSTEES	4 BRETON WOOD RD	HUDSON, MA	01749
3-0-168	NEVITT MARK S, NEVITT PATRICIA A	91 NORTH ST,	MIDDLEBORO, MA	02346
3-0-171	ARDUINO BRENDA M TRUSTEE, PUCEL KAREN A	22 CHARLES DR	FRANKLIN, MA	02038
3-0-172.B	CAMILLERI DAVID, CAMILLERI KRISTYN	38 ANDREWS ST,	BUZZARDS BAY, MA	02532
3-0-176	PACCIA MARY LIFE ESTATE,	44 ANDREWS ST,	BUZZARDS BAY, MA	02532
3-0-177	WEIR ROBERT L JR TRUSTEE, ROBERT L WEIR JR TRUST	44 SPARROW RD,	STOUGHTON, MA	02072
3-0-178	SCOTT SHERI ROSE,	50 ANDREWS ST,	BUZZARDS BAY, MA	02532
3-0-192	ROTELLA DAVID R, ROTELLA PAULA J	96 HOLMES AVE,	STOUGHTON, MA	02072
3-0-194	TULCHINSKY SHARON, TULCHINSKY ELLEN	70 NORTHAMPTON ST, APT 203	BOSTON, MA	02118
3-0-195	ALFONSO DEBORAH L TRUSTEE, THEODORE JUDITH A TRUSTEE	PO BOX 42,	ONSET, MA	02558
3-0-197.A	DALY THOMAS P, DALY SUSAN E	65 STANFORD DR,	WESTWOOD, MA	02090
3-0-201	TENNEY DAWN TRUSTEE, INVESTMENT TRUST	PO BOX 332,	ONSET, MA	02558
3-0-202	AVELLINO DOMENIC M, AVELLINO JEAN M	PO BOX 1274,	ONSET, MA	02558
3-0-205	MURPHY BRENDAN D	PO BOX 714	SOUTH DENNIS, MA	02660
3-0-207	HIGGINS SHIRLEY A, LIFE ESTATE	18 PROSPECT ST,	BUZZARDS BAY, MA	02532
3-0-209	KAMEN ERIC, BELL CYNTHIA	11 GROVENOR RD,	JAMAICA PLAIN, MA	02130
3-0-210	SPROUT WARREN, JOHANNIS SUSAN	13 GRAY ST	BUZZARDS BAY, MA	02532
3-0-211	MCSHEA LORINE,	11 PROSPECT ST	BUZZARDS BAY, MA	02532
3-0-213	TOPPING LAUREN,	87 WEST ST,	MANSFIELD, MA	02048
3-0-214	BELO NORMAN G, BELO ELISABETH C	147 PURCHASE ST,	S EASTON, MA	02375
3A-3-215.D	SMITH CHRISTINE B,	19 PROSPECT ST,	BUZZARDS BAY, MA	02532
3-0-216	BIGELOW TIMOTHY E, BIGELOW BARBARA	25 PROSPECT ST,	BUZZARDS BAY, MA	02532
3-0-221	SOSA JOHN N III, HIGGINS ERIN M	16 GRAY ST,	BUZZARDS BAY, MA	02532
3-0-223	ROSSI MARILYN L,	7 PROSPECT ST,	BUZZARDS BAY, MA	02532
3-0-231	YORK GREGORY SR,	8 GREENWICH ST,	ROXBURY, MA	02120
3-0-G10	KNOWLES TROY A	5 WHEETAMORE DR	ASSONET, MA	02702
3-0-G11	CHICK ZACKARY M	19 ODYSSEY DR	BUZZARDS BAY, MA	25332
3-0-G9	SUTLIFFE SUZANNE O,	PO BOX 205,	E WAREHAM, MA	02538

CERTIFIED ABUTTERS AS THEY APPEAR
 ON OUR TAX ROLLS AS OF 10/17/2023

M. Renee Adams
 ASSESSORS OFFICE

REQUESTED BY CHERYL SILVA
 508 295-2522
 CHERYL@MORTONLAWLLC.COM

ArcGIS Web Map



10/17/2023, 10:57:48 AM

Parcels with CAMA Data Parcel Lines

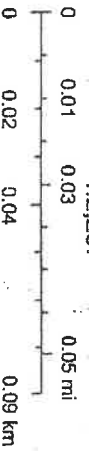
Town Line

Property Line

Common Line Public Road

PWater

1:2,257



Est. HERE, Garmin, INCREMENT P, NGA, USGS

Web AppBuilder for ArcGIS
Est. HERE, Garmin, INCREMENT P, NGA, USGS | FEMA, MassGIS | MassDEP |

EXHIBIT D

EXHIBIT E

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date 7-21-23

Re: 4 Prospect Street, Onset
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue and Tom Daly to construct a new single-family home, replacing their second resident cottage. This new building would be built on the land they own in the rear of 4 Prospect Street, facing Andrew Street. This is in our neighborhood of Nanumett Heights in Onset. The property the new building would be on is recorded on the assessor's town maps as 0 Gray Street.


We are their neighbor/ abutter located at 1 PROSPECT ST., ONSET and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity, and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

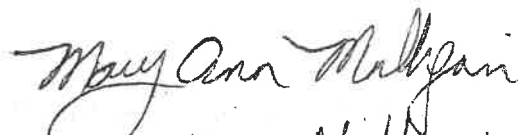
We have been informed of their intentions to build a new year-round home, raze the smaller second building cottage and continue having two residential buildings on the property as legal non-conforming as in the past.

We all enjoy the beauty and charm of Onset and want to make sure we are respecting the surroundings of our neighborhood. A new building will only help increase our property values and protect the nature of our neighborhood.

Please approve the Daly's family petition and allow a building permit to be granted.

Thank you.


FRANCIS J. CARITO


Mary Ann Mulligan

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date 7/21/23

Re: 4 Prospect Street, Onset
Susan & Thomas Daly

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We are their neighbor/ abutter located at 2 Prospect Street, Onset MA and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

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Thank you.

Sharon Tulchinsky
Sharon Tulchinsky

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date

Re: 4 Prospect Street, Onset
Susan & Thomas Daly 7/20/23

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We are their neighbor/ abutter located at 5 Prospect St. Onset MA. 02532 and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity, and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

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Thank you.

Terrance L. Pageau *Marilyn A. Pageau*
5 Prospect St Onset MA. 02532

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date 7-23-2023

Re: 4 Prospect Street, Onset
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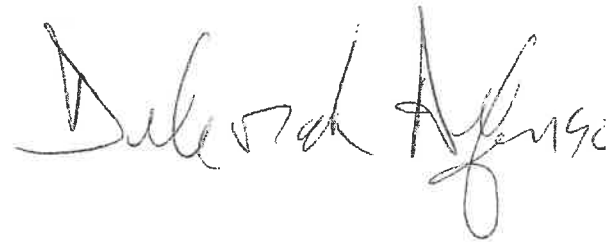
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Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

March 19, 2023

RE: 4 Prospect Street, Onset
Susan and Thomas Daly

Dear Members of the Zoning Board of Appeals:

It is my pleasure to write to you in support of the petition filed by Susan and Thomas Daly to construct a new, single family home on land which they own in the rear of 4 Prospect Street in our neighborhood of Nanumett Heights, Onset. The property is listed on Gray Street and closer to Andrew Street on the town maps.

I have been fortunate to be their across-the-street neighbor at 7 Prospect Street since September 2006, and I am completely in favor of their petition for the new construction. To me, they are unrivaled in their pride of ownership of their home at 4 Prospect Street. At any time of the year, the property is beautifully kept, and their home is expertly maintained. The Daly's have owned their property since 1994. I have been informed of their intentions to build a new, year-round home, to raze the smaller cottage, and to continue having two residential buildings on the property. I have enjoyed the beauty and charm of Onset ever since I moved here from Longmeadow, MA. The Daly's are exemplars of those who want to make sure that we are respecting the nature of the neighborhood. A new build will only help to increase our property values and to protect or neighborhood.

I heartily endorse the granting of the petition and the variance.

Thank you for considering my letter.

Sincerely,


Marilyn L. Rossi

7 Prospect Street
Onset, MA

ERIC KAMEN 9 PROSPECT ST. ONSET, MA 02532

November 17, 2022

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

RE: 4 Prospect Street; Oriset
Susan and Thomas Daly

Dear Members of the Zoning Board of Appeal,

We are writing this letter of support for the petition filed by Sue and Tom Daly to construct a new single family home on land they own in the rear of 4 Prospect Street in the neighborhood of Nanumett Heights, Onset. The proposed project is listed on Gray Street and closer to Andrew Street on town maps.

We are neighbors at 9 Prospect Street directly across the street from Sue and Tom since 2015. Our property lots are and domicile structures are closely plotted and we appreciate neighbors who are mindful of that condition. The Daly's have owned their property since 1994. In the seven years that we've come to know Sue and Tom, we have come to know them as caring, responsible and community minded neighbors. They have informed us of their intentions to build a 'year-round' home, raze the smaller cottage and continue having two residential structures on the property. We are confident they will build according to zoning guidelines respecting the charm of the neighborhood without imposing on their neighbors.

We are in favor of their petition for the new contraction and look forward to their 'Appeal' and 'Variance' being granted by the Zoning Board of Appeals.

Sincerely yours,



Eric Kamen & Cynthia Bell

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date *Nov 17, 2022*

RE: 4 Prospect Street, Onset
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue & Tom Daly to construct a new single family home on land they own in the rear of 4 Prospect Street in our neighborhood of Nanumett Heights, Onset. The property is listed on Gray Street and closer to Andrew Street on the town maps. We are their (neighbor, abutter) located at

11 PROSPECT ST. ONSET, MA and we are in favor of their petition for the new construction. Our property lots are close in nature and we appreciate property owners who have pride in ownership here. The Daly's have owned their property since 1994. We have been informed of their intentions to build a new year round home, raze the smaller cottage and continue having two residential buildings on the property. We all enjoy the beauty & charm of Onset and want to make sure we are respecting the nature of the neighborhood. A new build will only help increase our property values and protect our neighborhood.

I think the petition should be allowed and a variance be granted.

Thank you.

Name & Address

Lorine J. McShea
LORINE J. MCSHEA
11 PROSPECT ST.
BUZZARDS BAY, MA 02532
(mailing address)

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date 7-29-23

Re: 4 Prospect Street, Onset
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue and Tom Daly to construct a new single-family home, replacing their second resident cottage. This new building would be built on the land they own in the rear of 4 Prospect Street, facing Andrew Street. This is in our neighborhood of Nanumett Heights in Onset. The property the new building would be on is recorded on the assessor's town maps as 0 Gray Street.

We are their neighbor/ abutter located at 12 Prospect St and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity, and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

We have been informed of their intentions to build a new year-round home, raze the smaller second building cottage and continue having two residential buildings on the property as legal non-conforming as in the past.

We all enjoy the beauty and charm of Onset and want to make sure we are respecting the surroundings of our neighborhood. A new building will only help increase our property values and protect the nature of our neighborhood.

Please approve the Daly's family petition and allow a building permit to be granted.

Thank you.

Jeann Fuellina
Domenic Fuellina

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date: 9/1/23

RE: 4 Prospect Street, Onset, MA 02532
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue & Tom Daly to construct a new single family home on property they own in the rear of 4 Prospect Street in the neighborhood of Nanumett Heights, Onset. The property is on the town maps as Gray Street and closer to Andrew Street. We are their (neighbor, abutter) located at


38 Andrews Street, and

and are in favor of their petition for the new construction. Our property lots are close in nature and we appreciate property owners who have pride in ownership here. The Daly's have owned their property since 1994. We have been informed of their intentions to build a new year round home, raze the smaller cottage and continue having two residential buildings on the property. We all enjoy the beauty & charm of Onset and want to make sure we are respecting the nature of the neighborhood. A new build will only help increase our property values and protect our neighborhood.

I think the petition should be allowed and a variance be granted.

Thank you.

Name & Address:


David Chandler

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date 8-12-23

Re: 4 Prospect Street, Onset
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue and Tom Daly to construct a new single-family home, replacing their second resident cottage. This new building would be built on the land they own in the rear of 4 Prospect Street, facing Andrew Street. This is in our neighborhood of Nanumett Heights in Onset. The property the new building would be on is recorded on the assessor's town maps as O Gray Street.

We are their neighbor/ abutter located at 27 Andrews Street and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity, and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

We have been informed of their intentions to build a new year-round home, raze the smaller second building cottage and continue having two residential buildings on the property as legal non-conforming as in the past.

We all enjoy the beauty and charm of Onset and want to make sure we are respecting the surroundings of our neighborhood. A new building will only help increase our property values and protect the nature of our neighborhood.

Please approve the Daly's family petition and allow a building permit to be granted.

Thank you.

Rebecca Hunt
Owen Gurner

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date 8-26-2023

Re: 4 Prospect Street, Onset
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue and Tom Daly to construct a new single-family home, replacing their second resident cottage. This new building would be built on the land they own in the rear of 4 Prospect Street, facing Andrew Street. This is in our neighborhood of Nanumett Heights in Onset. The property the new building would be on is recorded on the assessor's town maps as 0 Gray Street.

We are their neighbor/ abutter located at 34 Andrews St and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity, and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

We have been informed of their intentions to build a new year-round home, raze the smaller second building cottage and continue having two residential buildings on the property as legal non-conforming as in the past.

We all enjoy the beauty and charm of Onset and want to make sure we are respecting the surroundings of our neighborhood. A new building will only help increase our property values and protect the nature of our neighborhood.

Please approve the Daly's family petition and allow a building permit to be granted.

Thank you.



Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date 7-23-2023

Re: 4 Prospect Street, Onset
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue and Tom Daly to construct a new single-family home, replacing their second resident cottage. This new building would be built on the land they own in the rear of 4 Prospect Street, facing Andrew Street. This is in our neighborhood of Nanumett Heights in Onset. The property the new building would be on is recorded on the assessor's town maps as 0 Gray Street.

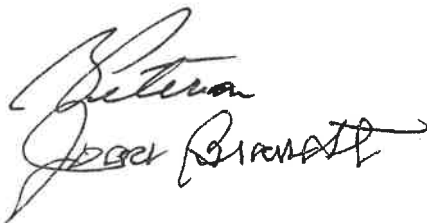
We are their neighbor/ abutter located at 1 MASON ST. and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity, and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

We have been informed of their intentions to build a new year-round home, raze the smaller second building cottage and continue having two residential buildings on the property as legal non-conforming as in the past.

We all enjoy the beauty and charm of Onset and want to make sure we are respecting the surroundings of our neighborhood. A new building will only help increase our property values and protect the nature of our neighborhood.

Please approve the Daly's family petition and allow a building permit to be granted.

Thank you.

A handwritten signature in cursive script, appearing to read "Peter Brant".

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date 8-27-2023

Re: 4 Prospect Street, Onset
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue and Tom Daly to construct a new single-family home, replacing their second resident cottage. This new building would be built on the land they own in the rear of 4 Prospect Street, facing Andrew Street. This is in our neighborhood of Nanumett Heights in Onset. The property the new building would be on is recorded on the assessor's town maps as 0 Gray Street.

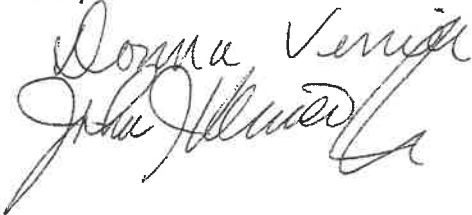
We are their neighbor/ abutter located at 28 Nanumett St. and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity, and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

We have been informed of their intentions to build a new year-round home, raze the smaller second building cottage and continue having two residential buildings on the property as legal non-conforming as in the past.

We all enjoy the beauty and charm of Onset and want to make sure we are respecting the surroundings of our neighborhood. A new building will only help increase our property values and protect the nature of our neighborhood.

Please approve the Daly's family petition and allow a building permit to be granted.

Thank you.



Donna Verica
John Howard

Town of Wareham
Zoning Board of Appeals
54 Marion Road
Wareham, MA 02571

Date July 21, 2023

Re: 4 Prospect Street, Onset
Susan & Thomas Daly

Dear Members of the Zoning Board of Appeals,

We are writing this letter to you in support of the petition filed by Sue and Tom Daly to construct a new single-family home, replacing their second resident cottage. This new building would be built on the land they own in the rear of 4 Prospect Street, facing Andrew Street. This is in our neighborhood of Nanumett Heights in Onset. The property the new building would be on is recorded on the assessor's town maps as 0 Gray Street.

We are their neighbor/abutter located at 15 Nanumett Street and we are in favor of their petition for the new construction. Our property lots and homes are close in proximity, and we appreciate property owners who have pride in ownership here. Most of our homes in this neighborhood do not meet today's zoning building requirements. The Daly's have owned their property since 1993.

We have been informed of their intentions to build a new year-round home, raze the smaller second building cottage and continue having two residential buildings on the property as legal non-conforming as in the past.

We all enjoy the beauty and charm of Onset and want to make sure we are respecting the surroundings of our neighborhood. A new building will only help increase our property values and protect the nature of our neighborhood.

Please approve the Daly's family petition and allow a building permit to be granted.

Thank you.

Patricia Habersaat
Patricia Habersaat

Thomas Habersaat
Thomas Habersaat

4 PROSPECT ST

Location 4 PROSPECT ST

Mblu 3 / 197/A /

Acct#

Owner DALY THOMAS F

Assessment \$348,700

Appraisal \$348,700

PID 1514

Building Count 2

Current Value

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$221,000	\$127,700	\$348,700

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$221,000	\$127,700	\$348,700

Owner of Record

Owner DALY THOMAS F
Co-Owner DALY SUSAN E
Address 65 STANFORD DR
WESTWOOD, MA 02090

Sale Price \$85,000
Certificate
Book & Page 11983/0120
Sale Date 06/25/1993
Instrument UNKQ

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
DALY THOMAS F	\$85,000		11983/0120	UNKQ	06/25/1993

Building Information

Building 1 : Section 1

Year Built: 1935
Living Area: 988
Replacement Cost: \$268,958
Building Percent Good: 70
Replacement Cost
Less Depreciation: \$188,300

Building Attributes

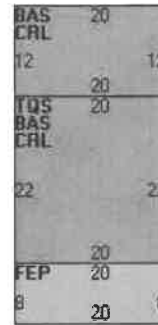
Field	Description
Style:	Conventional
Model	Residential
Grade:	Ave
Stories:	1 3/4 Stories
Occupancy	1
Exterior Wall 1	Clapboard
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asphalt Shing
Interior Wall 1	K Pine/Bead Bd
Interior Wall 2	Panel
Interior Flr 1	Carpet
Interior Flr 2	Linoleum
Heat Fuel	Gas
Heat Type:	Forced Hot Air
AC Type:	None
Total Bedrooms:	3 Bedrooms
Total Bthrms:	1
Total Half Baths:	0
Total Xtra Fixtrs:	
Total Rooms:	6 Rooms
Bath Style:	Average
Kitchen Style:	Average
# of Fireplaces	1
Fireplace Type	Wood
Finish Bsmt SF	
Fin Bsmt Qual	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Photo



(<https://images.vgsi.com/photos2/WarehamMAPPhotos/0003\1271.jpg>)

Building Layout



(https://images.vgsi.com/photos2/WarehamMAPPhotos/Sketches/1514_151)

Building Sub-Areas (sq ft)			Legend	
Code	Description	Gross Area	Living Area	
BAS	First Floor	680	680	
TQS	3/4 Story Fin	440	308	
CRL	Crawl Space	680	0	
FEP	Enclosed Porch	160	0	
		1,960	988	

Building 2 : Section 1

Year Built: 1960
Living Area: 330
Replacement Cost: \$44,189
Building Percent Good: 74
Replacement Cost Less Depreciation: \$32,700

Building Attributes : Bldg 2 of 2	
Field	Description
Style:	Cottage

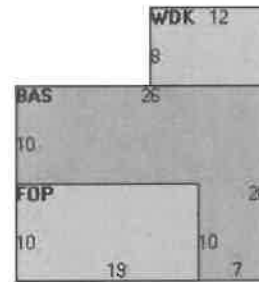
Model	Residential
Grade:	Below Ave
Stories:	1
Occupancy	1
Exterior Wall 1	Wood on Sheath
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asphalt Shing
Interior Wall 1	Open/Bv Brd
Interior Wall 2	
Interior Flr 1	Pine/Soft Wood
Interior Flr 2	
Heat Fuel	Gas
Heat Type:	Hot Air-No Duc
AC Type:	None
Total Bedrooms:	00
Total Bthrms:	0
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	2
Bath Style:	
Kitchen Style:	
# of Fireplaces	
Fireplace Type	
Finish Bsmt SF	
Fin Bsmt Qual	
Num Park	
Fireplaces	
Fndtn Cndtn	
Basement	

Building Photo



(<https://images.vgsi.com/photos2/WarehamMAPotos/00\03\42\08.jpg>)

Building Layout



(https://images.vgsi.com/photos2/WarehamMAPotos/Sketches/1514_106)

Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	330	330
FOP	Open Porch	190	0
WDK	Deck, Wood	96	0
		616	330

Extra Features

Extra Features	Legend
No Data for Extra Features	

Land

Land Use

Use Code	1010
Description	SINGLE FAMILY
Zone	MR30

Land Line Valuation

Size (Acres)	0.10
Frontage	0
Depth	0

Neighborhood 0061
Alt Land Appr No
Category

Assessed Value \$127,700
Appraised Value \$127,700

Outbuildings

Outbuildings	<u>Legend</u>
No Data for Outbuildings	

Valuation History

Appraisal			
Valuation Year	Improvements	Land	Total
2023	\$221,000	\$127,700	\$348,700
2022	\$168,600	\$127,700	\$296,300
2021	\$140,500	\$127,700	\$268,200

Assessment			
Valuation Year	Improvements	Land	Total
2023	\$221,000	\$127,700	\$348,700
2022	\$168,600	\$127,700	\$296,300
2021	\$140,500	\$127,700	\$268,200